

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM #1 AB 335 Homeless Assistance Domestic Violence Provisions

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held as follows:

June 16, 2010  
Office Building # 8, Room 323  
744 P St.  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on June 16, 2010.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

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## CHAPTERS

Manual of Policies and Procedures (MPP), Division 44 (Standards of Assistance), Chapter 44-200 (AU composition and Need), Section 44-211 (Special Needs in CalWORKs).

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These proposed regulations amend specific provisions and adopt new language in the California Department of Social Services (CDSS) Manual of Policies and Procedures (MPP) that regulate Special Needs of the California Work Opportunity and Responsibility to Kids (CalWORKs) Homeless Assistance Program (HAP).

Current law allows a family to be eligible for temporary and permanent homeless assistance (HA) under an exception to the once-in-a-lifetime HA rule when homelessness is a direct result of domestic violence by a spouse, partner, or roommate. Prior to January 1, 2008, under these circumstances, domestic violence was required to be verified by a third-party governmental or private health and human services agency.

Assembly Bill (AB) 335 (Chapter 726, Statutes of 2007) permits recipients to verify Domestic Violence (DV) as an exception to the once-in-a-lifetime HA rules with a sworn statement made by the victim, unless the agency documents in writing an independent, reasonable basis to find the recipient not credible. The DV may be verified by a sworn statement for up to two periods of temporary HA payments and two payments of permanent HA. Further, the County Welfare Department (CWD) will be required to immediately inform HAP recipients, who verify DV with a sworn statement, of the availability of DV counseling and services, and refer them to services upon request.

AB 335 also provides that if the CWD requires a recipient, who verifies DV by a sworn statement, to participate in a homeless avoidance case plan, the plan shall include the provision of DV services, if appropriate. If a recipient, who is seeking an exemption to the once-in-a-lifetime provision of HA based on DV, has previously received homeless avoidance services based on DV, the county shall review whether DV counseling and services were offered to the recipient and consider what additional services would assist the recipient in leaving the DV situation. Additionally, the proposed regulations will make other technical, conforming changes, such as renumbering of sections and amending cross references as necessary.

## COST ESTIMATE

1. Costs or Savings to State Agencies: There are no appropriated funds needed to cover any impact that these regulations may have.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500-17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: There are no appropriated funds needed to cover any impact that these regulations may have.
4. Federal Funding to State Agencies: There are no appropriated funds needed to cover any impact that these regulations may have.

#### LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies, but not upon school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code because there is no estimated increase in local costs associated with the implementation of these regulations.

#### STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

#### STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

#### ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

#### STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

#### STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553, 10554, 10604, and 11450(g) of the Welfare and Institutions Code. Subject regulations implement and make specific Section 11450(f)(2)(E), (iii), (v), and (vi), Welfare and Institutions Code, AB 335 (Chapter 726, Statutes of 2007).

#### CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

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